

REMARKS

Introduction to the Response

Claims 1-5, 7-8, 11, 13-15, 32, 34, 41, and 45-55 are currently pending in the application. Claims 1, 32, 41, and 48-50 have been amended. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the pending application in view of the foregoing amendments and the following remarks.

Objections to the Claims

Claim 41 stands objected to due to minor informalities. In response, Applicant has amended claim 41 as suggested by the Examiner.

Rejection under 35 U.S.C. § 102

Introduction to the Rejections

Claims 1-5, 7-8, 13-15, 32, 34, 41, 45-52, and 54-55 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,974,572 to Weinberg et al. ("Weinberg"). Weinberg discloses a visual Web Site analysis program for facilitating the analysis, management, and load-testing of Web sites. A mapping component scans a Web site over a network connection and builds a site map which graphically depicts the URLs and links of the site.

Rejection of Independent Claims 1, 32, 41, and 48-50

Applicant respectfully submits that Weinberg fails to teach or suggest at least one key feature common to independent claims 1, 32, 41, and 48-50: namely, an *underlying architecture, wherein the underlying architecture consists of non-visual components that provide for back end operability of the software system*. Given that the term *underlying architecture*, for example, is referenced nine times in independent claim 1 alone, Applicant respectfully submits that a proper interpretation of this term is paramount in consideration of Weinberg as a § 102 reference.

Applicant respectfully submits that the *underlying architecture* claim term is supported by seventy-seven explicit references in the specification, each of which makes clear that *the underlying architecture consists of non-visual components that provide for back end operability of a software system*. Nonetheless, to further clarify the term *underlying architecture* and

facilitate timely prosecution of this application, Applicant has amended independent claim 1 to so state.

Applicant's specification distinguishes the *underlying architecture* from components in a *front end* of a software system. For example, the specification states that "the visible aspect is the '*front end*' of the software system. In contrast, the underlying architecture includes non-visual components that provide for *back end* operability of the software system.

Applicant respectfully submits that Weinberg is concerned exclusively with visible components of a *front end* of a software system. Particularly, Weinberg teaches building a graphical site map based upon links between websites (See, e.g., *Weinberg* at Figs. 2-7, Abstract, and Summary of the Invention). Applicant respectfully submits that websites are visible components and are part of a *front end* of a software system. Hence, websites neither are non-visual nor provide for operability of a *back end* of a software system as claimed. Therefore, Weinberg at least fails to teach or suggest any of the several features of independent claims 1, 32, 41, and 48-50 that reference an *underlying architecture wherein the underlying architecture consists of non-visual components that provide for back end operability of the software system*. Applicant respectfully submits that independent claims 1, 32, 41, and 48-50 distinguish over Weinberg and requests that the 35 U.S.C. § 102 rejection of claims 1, 32, 41, and 48-50 be withdrawn.

Rejection of Dependent Claims 2-5, 7-8, 13-15, 34, 45-47, 51-52, and 54-55

Each of dependent claims 2-5, 7-8, 13-15, 34, 45-47, 51-52, and 54-55 depends from and further restricts in a patentable sense one of independent claims 1, 32, 41, and 48-50. For reasons similar to those given with respect to independent claims 1, 32, 41, and 48-50, Applicant respectfully submits that dependent claims 2-5, 7-8, 13-15, 34, 45-47, 51-52, and 54-55 are also in condition for allowance. Applicant respectfully requests that the 35 U.S.C. § 102 rejections of claims 2-5, 7-8, 13-15, 34, 45-47, 51-52, and 54-55 be withdrawn.

Rejection under 35 U.S.C. § 103

Claims 11 and 53 stand rejected under 35 U.S.C. § 103 as being unpatentable over Weinberg in view of U.S. Patent No. 6,792,475 to Arcuri et al. ("Arcuri"). Arcuri discloses a

system and method for designing web pages that allows web designers to place hyperlinks to web pages without a hierarchical relationship between the pages of the website. However, for reasons already given with respect to independent claims 1 and 41, Weinberg fails to teach or suggest several features of each independent claim. Arcuri fails to remedy any of these deficiencies or render any claim obvious. Therefore, Applicant respectfully submits that claims 11 and 53 distinguish over the combination of Weinberg and Arcuri and are in condition for allowance. Withdrawal of the 35 U.S.C. § 103 rejections of claims 11 and 53 is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicant believes the pending application to be in condition for allowance. A Notice to that effect is respectfully requested.

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Respectfully submitted,

By 

Shoaib A. Mithani

Registration No.: L0067

WINSTEAD PC

P.O. Box 50784

Dallas, Texas 75201

(214) 745-5400

Attorneys For Applicant